

WESTFIELD TOWN COUNCIL, June 13, 2005

The Westfield Town Council met in regular session Monday, June 13, 2005 at the Westfield Town Hall. Members present were Teresa Otis Skelton, Bob Smith, Jack Hart, David Mikesell, and Ron Thomas. Also present were Clerk-Treasurer, Cindy Gossard, Town Manager, Jerry Rosenberger and Legal Council, Brian Zaiger. President Skelton called the meeting to order at 7:00 p.m.

Approval of Minutes

Jack Hart moved to approve the minutes of the April 27, 2005 meeting as presented. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Bob Smith moved to approve the minutes of the May 9, 2005 meeting as amended. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Jack Hart moved to approve the minutes of the May 26, 2005 meeting as presented. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Guests:

Mr. Joe Plankis stated that during the process of putting the resolution together, there was some language about having participation, although non voting power, of residents from the township and working with the town council; he would like to know where that stands and what the plans are in that area.

Jerry Rosenberger responded this issue will not be covered in the Town to City Ordinance; it will be covered prior to the annexed area prior to March 10, 2006. The Town to City Ordinance will probably happen in the fall of this year.

Old Business

**Ordinance 05-03 SF-A New Zoning District
Advisory Plan Commission on February 14
Public Hearing held March 28, 2005**

Sent to Committee April 11, 2005

**Ordinance 05-09 Southwest Washington Township Annexation
Introduction and First Reading on February 14, 2005
Public Hearing scheduled for July 14, 2005**

No action required of Council this evening

**Ordinance 05-16 Village Park Plaza TIF Bonds
First Reading May 9, 2005
Second Reading June 13, 2005**

Jerry Rosenberger presented details of this Ordinance. Jerry explained how the Interlocal agreement between the Town of Westfield and Hamilton County works with this ordinance.

Mr. Tim Ortman, Beacon Point subdivision, spoke on behalf of his subdivision and residents from adjacent subdivision, Shadow Lakes and Westfield Farms. They are supportive of the project for the

sidewalk on the north side of 146th street. He also spoke on the fact that there is no crossing signal or system at the trail head where the Monon trail currently ends. Ortman also spoke in support of the TIFF.

Bob Smith responded there is a plan for lights to be installed at the trail head.

Bob Smith moved to approve Ordinance 05-16 as presented Dave Mikesell seconded. Vote: Yes-3; No-1 (Thomas); Abstention-1 (Hart) Motion carried.

Dave Mikesell moved to approve the Interlocal Agreement between Town of Westfield and Hamilton County as presented. Bob Smith seconded. Vote: Yes-3; No-1 (Thomas); Abstention-1 (Hart) Motion carried.

Ordinance 05-15 Viking Meadow, Phase II
Introduction and Public Hearing May 9, 2005
Second Reading
100% Voluntary Annexation

Jerry Rosenberger reviewed the details of this project, stating tonight the ordinance would be adopted as well as the fiscal plan for the annexation on June 13. Jerry stated that on approximately July 17, Viking Meadows Phase II will be in the Town of Westfield. Tonight's motions will be to approve the annexation ordinance and the fiscal plan.

Jack Hart moved to approve Ord.05-15 as presented. Bob Smith seconded. Vote: Yes-5; No-0 Motion carried.

Bob Smith moved to approve Resolution 05-07 as presented. Jack Hart seconded. Vote: Yes-5; No-0 Motion carried.

Regulatory Changes Council's Introduction
First Council Consideration – Andover North

Kevin Buchheit presented details of this project and introduced Sheldon Phelps and Jim Shenever to answer questions.

Teresa Skelton stated the next step is for Council's consensus to send to Plan Commission.

Wicker property at 169th and Spring Mill Road.

Teresa Skelton recused herself.

Jack Hart presided over this item.

Kevin Buchheit presented the details of this project, stating there was a correction on page two, fourth paragraph of the staff report; Comprehensive Plan shows this as moderate density, not low density, and 2-3 units per acres, as opposed to 1-2 units per acre.

Kevin introduced Mr. Steve Hardin, Bingham McHale, representing Davis Investments.

Steve Hardin presented further details of the project and answered Council's questions.

Consensus to send on to Advisory Plan Commission.

New Business:

Resolution 05-12 Repeal of Fire Board Committee Resolution 98-28.

Jerry Rosenberger reviewed the past history of this resolution and in talking with the Advisors and the Township Trustee, it was determined there is no need to continue that association from the fire board perspective. Therefore, this Resolution basically repeals the 1998 resolution.

Jack Hart moved to approve 05-12 as presented. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

**Ordinance 05-18 Carey Commons Annexation
Ordinance Introduction**

Jerry Rosenberger discussed the annexation. The members of the subdivision had been asked to provide petition for annexation, and we now have greater than 50% which allows it to be a consensual annexation.

05-10 Fiscal Plan

Jack Hart moved to approve Resolution 05-10. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Resolution 05-11 Firefighter Union Recognition

Jerry Rosenberger presented the details of the resolution.

Dave Mikesell moved to approve Resolution 05-11. Bob Smith seconded. Vote: Yes-5; No-0. Motion carried.

Waiver of fees Westfield Washington Schools

Jerry Rosenberger reviewed the request for Waiver of Fees.

Jerry explained there are other previous projects which the request for waiver of fees was unable to be located. He stated these projects were allowed to be built with the waiver that was always consistent with what was given to the school. Therefore, he stated these projects should be included in one complete motion in order to have the records up to date.

Bob Smith moved to waive the fees up to 50% for the water, sewer, and road and 100% for the building. Dave Mikesell seconded. Vote: Yes-4; No-0; Abstention-1 (Hart). Motion carried.

Waiver of fees for Christ United Methodist Church

Bob Smith moved to approve the waiver of fees for Christ United Methodist Church. Jack Hart seconded. Vote: Yes-5; No-0 Motion carried.

WPW resurfacing road projects for 2005

Mr. Bruce Hauk presented details of these projects, stating bids were opened June 13, 2005, and that there were five bids received.

Jack Hart moved to accept the Harco Asphalt Paving Bid not to exceed \$625000. Dave Mikesell seconded. Vote: Yes-5; No-0 Motion carried.

WPW Building Project

Bruce Hauk presented details of this project including site elevation plan and layout, requesting that the Patterson Horth bid be awarded. Hauk also requested that the Council give room to purchase furnishings for the offices.

Dave Mikesell moved to approve the building expansion project not to exceed \$212,000. Jack Hart seconded. Vote: Yes-5; No-0. Motion carried.

Bob Smith moved to approve the amount not to exceed \$25,000 for furnishings. Dave Mikesell seconded. Vote: Yes-5; No-0. Motion carried.

Town to City Discussion – Redistricting Discussion

Jerry stated that the Redistricting Committee has had one meeting. Jerry made presentation on this discussion.

Jerry explained several options and processes to go from a town to a city. The committee will introduce at the July Town Council meeting which process they believe should be adopted.

Fire Contract:

Jerry stated that we do not have a township fire contract.

Town Manager Report:

- Meeting on the 31 Hwy project on June 24, 11:00 a.m. at Woodland Country Club in Carmel.

- Received follow up letter from Dennis Falkenberger and the 31 Coalition requesting a donation of \$1,000 to become a member of the Coalition. This issue will be brought back before the Council in July.

- Development Signs: Our Sign Ordinance. already prevents this from happening. What we would like to bring to the July Town Council meeting is a process/procedure on how we accomplish this and what steps we need like to take.

- Memo from Hamilton County Alliance talking about retention and grants.

- Staff: Community Development is fully staffed at this point. New Employee: Ann Cavaluzzi.

- Community Development Block Grant Money. Westfield is eligible for about \$35,000/year. We will be applying for that money for Public Works projects which may include sidewalk repairs, storm drain repairs, sanitary sewer repairs, etc. Will be getting a project list out showing what we intend to do with the funds.

- Discussion of the food and beverage tax.

Council Comments:

Ron Thomas recognized John Barrett, who was nominated for EMT of the year in Hamilton County and Randy Wise, who received the Golden Honor Life Award from Riverview.

Claims:

Dave Mikesell moved to approve the June claims as presented. Bob Smith seconded. Vote: Yes-5; No-0 Motion carried.

With no further business the meeting was adjourned at 9:30 pm. An executive session followed.

Clerk-Treasurer

Council President